5.

AN ABSTRACT OF ALL THE STATUTE-LAWS OF THIS KINGDOM

Now in Force, Made againſt

JESUITES, Seminary Prieſts, AND Popiſh Recuſants.

LONDON,
Printed for *John Starkey* at the *Mitre* in *Fleetſtreet*,
M DC LXXV.

AN ABSTRACT OF ALL THE STATUTE LAWS OF THIS KINGDOM CONCERNING JESUITS, Seminary Priests, AND Popish Recusants.

LONDON,
Printed for John Starkey at the Mitre in Fleet-street,
MDCLXXV.

An Abstract of all the Statute-Laws made against all Jesuits, Seminary Priests, and Popish Recusants.

1. BY the Statute of 1 *Eliz. cap.* 1. No Forreign Potentate, or other Person shall exercise any Ecclesiastical power in the Queens Dominions, but She and her Successors may by Letters Patents Authorize any Subject born to Exercise the same.

1 Eliz. cap. 1. no Forrein Potentate not to exercise power in the Queens Dominions.

2. For the better observance of this Act, *Every Ecclesiastical and Temporal* OFFICER, *and such as take Degree in the University, and all the Queens Servants are enjoyned to take the Oath of Supremacy*, recited, *in hæc Verba*, in this Statute, to which because it is long, you are referred.

Officers Temporal and Ecclesiastical.

3. He that refuseth this Oath, if he be in any Office, shall Forfeit such Spiritual or Temporal Office or Promotion during his life; or if he be to be admitted to any such Office, he shall take the aforesaid Oath before he be admitted, and if he refuse it, he shall be adjudged uncapable of it.

Refusing the Oath.

4. If any have a Temporal Office of Inheritance, and at first refuse this Oath, but afterwards shall take it, he shall be restored.

Oath.

5. None shall maintain the Jurisdiction of any Foreign Prelate or Potestate in the Queens Dominions,

Penalty of maintaining any Foreign Potentate power, &c.

ons, upon pain of Forfeiting all his Goods and Chattels, and if he be not worth twenty pounds at the time of his Conviction, he shall Forfeit all he hath, and suffer a years Imprisonment without Bayl; and for the second Offence, incur a *Præmunire*; and for the third Offence be guilty of High Treason, which Offence must be prosecuted within one year after it is committed; but if the Offence be by Preaching, Teaching, or Words only, prosecution by Indictment must be within six moneths, else the Offender to be set at liberty.

Præmunire is to be put out of the Kings protection, and to forfeit all his Goods & Chattels, and all Lands in Fee, Co. 1. Instit. f 219.b.130. a.

Conviction.

6. A Clergy-man Beneficed, upon the first Conviction for such Offence, shall loose his Spiritual Promotion.

Peer.

7. A Peer of the Realm guilty of such Offence, is to be tryed by his Peers.

Witnesses,

8. No persons to be Indicted or Arraigned for the aforesaid Offences, but by two or more sufficient Witnesses produced *Viva voce*; and none shall be questioned for Relieving, Aiding, or Comforting any such Offender as is before mentioned, unless it be proved by two Witnesses at least, that at the time of such Relief, Aid, &c. he had notice of the Offence committed.

5 Eliz cap. 1,

1. By this Statute of 5 *Eliz.* None shall maintain the Jurisdiction of the Bishop or See of *Rome*, within any of the Queens Dominions, upon pain that they and their Accessaries shall incur a *Præmunire*.

Who may have Oyer and Terminer of these Offences in Quarter Sessions, or open Sessions.

2. Justices of Assize, Justices of the Peace in Sessions, or any two of them, (whereof one of the *Quorum*) have power to hear and determine this Offence, and to certifie the presentments into the Kings Bench, within a time limited in the Statute on pain of 100 *l.* and Justices of Assize have power as well upon such Certificate, as also before themselves to hear and determine such Offences.

3. All

3. All Persons appointed by the Statute of 1 *Eliz.* cap. 1. to take the Oath of Supremacy, and all other Persons taking Orders, preferred to any Degree in the Universities, all School-masters publick and private; all that take Degrees of Learning in the Laws, in the Inns of Court, or in Chancery; all Attorneys, Prothonotories, Philizers, Escheators, *&c.* All Persons admitted to any Ministry or Office belonging to the Common Law, or other Law or Laws: and all Officers and Ministers of every Court shall take the said Oath before their admittance to the Exercise of any such Offices or Profession. *Persons that must take the Oath of Supremacy.*

4. He that is thus competable to take the said Oath, if he refuse it, incurs a *Præmunire*, if his Default be presented, and he Indicted within a year after the Default. *Præmunire,*

5. Arch-Bishops and Bishops have power in their proper Dioceses to Minister this Oath; and the Lord Chancellor or Keeper (without further Warrant) may grant Commission to tender it. *who have power to give the Oath,*

6. All Persons impowred to Tender this Oath, are to certifie the Refusals of those Recusants that will not Take it under their Hands and Seals into the Kings Bench, within a limited time in the Statute, on pain of 100 *l.* *See the Statute at large, as to the time.* *Certificate of Refusal,*

7. Those that refuse this Oath upon second Tender, or were formerly Convicted of maintaining the Jurisdiction of the Pope or See of *Rome*, and do commit the like offence the second time, both they and their Accessaries shall suffer as in case of High Treason, except in case of Corruption of Blood, Disinherison of Heirs, Forfeiting of Dower, or prejudice to others beside the Offender, *&c.* but none shall be punished as Accessary, for giving Alms without fraud to the Offender. *Second offence*

8. This

Alms, 8. This Act is to be published at every Quarter-Sessions, at every Leet, and every Term in open Hall in the Inns of Court and Chancery by the persons appointed thereto.

Members of the Com. House, Barons and 9. Every Member of the Commons House is to take this Oath before he sit in Parliament, before the Lord Steward, or his Deputy.

Peers, 10. None of, or above the Degree of a Baron is compellable to take this Oath; but a Peer offending herein, is only Triable by his Peers.

Second tender of the Oath, 11. No Papist is compellable to take this Oath upon second tender, or be in danger (by refusal thereof) to incur High Treason, but only Clergy-men, Officers of Ecclesiastical Courts, such as shall not observe the Rites of the Church of *England*, *&c.* or do say or hear private Mass.

Mass,

13 Eliz. cap. Bulls from Rome, 1. By this Statute, All that obtain or put in ure any Bull of Absolution or Reconciliation from the Church of *Rome*, or Absolve, or be Absolved thereby, both they and their Accessaries before the Fact, shall be adjudged Guilty of High Treason to the Queen and the Realm.

Comforters, Maintainers, Concealers, 2. Their Comforters and Maintainers shall incur a *Præmunire*; and their Concealers misprision of Treason, unless within six weeks they discover them to some Privy Counsellor, *&c.*

Agnus Dei, Crosses, &c. 3. If any bring into the *Queens* Dominion any *Agnus Dei*, Crosses, Pictures, Beads, or any such vain and superstitious thing, or deliver or offer the same to any person to be used; the person so doing, and the person receiving the same, shall incur *Præmunire*; but if the Person to whom the tender is made, apprehend the Person tendring it, and bring him before a Justice of Peace; or being unable so to do, shall within three dayes disclose his Name, and Abode, or resort unto the Ordinary, or some Justice of Peace within

the

the ſame County, or having received the ſame, do within three dayes deliver it to ſome Juſtice of Peace, he ſhall incur no prejudice by this Act.

4. The Juſtice of Peace ſhall diſcloſe the Offences aforeſaid to the Privy Counſel within fourteen dayes after notice to him, upon pain of *Præmunire*. *Juſtices of the peace, Privy Council,*

1. By this Statute, it is High Treaſon to have, or pretend to have power, or to put in practice, to Abſolve, Perſwade, or withdraw any Perſon within the *Queens* Dominions, from their natural Obedience to the *Queen* and her Succeſſors, or to withdraw them for the intent from the Religion now Eſtabliſhed, to the *Romiſh* Religion; and they alſo, who ſhall be ſo withdrawn willingly, together with their Procurers and Counſellors, ſhall be guilty of the ſame Offence. *23 El. 2. cap. 1, Withdrawing the Subj. from their obedience.*

2. Their Aiders and Maintainers, who diſcover them not within Ten dayes to ſome Juſtice of Peace, or higher Officer, ſhall be adjudged guilty of Miſpriſion of Treaſon. *Aiders and Maintainers,*

3. None ſhall Say or Sing Maſs on pain of Two hundred Marks, and ſuffer one years impriſonment, and not be Enlarged till the Fine be paid. And none ſhall hear Maſs on pain of a years impriſonment, and an hundred Marks. *Saying Maſs, Hearing Maſs,*

4. There ſhall be a third part of theſe Forfeitures to the *Queen*, a Third part to the Poor of the Pariſh where the Offence is committed, and a Third part to the Proſecutor. *Forfeitures,*

5. All covenous Grants to avoid the *Queens* Intereſt, or other perſons that may claim by this Act, or 13 *Eliz. cap.* 2. ſhall be adjudged void. *Covenous Grants.*

1. By this Statute all Jeſuits, Seminary Prieſts, or any Eccleſiaſtical perſons born within the Queens Dominions, and Ordained or made ſuch, by the pretended Juriſdiction of the See of *Rome*, which come into, *27 Eliz. cap. 1.*

or

or remain in any of the ſaid Queens Dominions, ſhall be adjudged guilty of High Treaſon, and their Receivers, Aiders, and Maintainers (knowing them to be ſuch, and at liberty) ſhall be adjudged Felons, without benefit of Clergy.

Perſons brought up in Seminaries beyond Sea.

2. All others brought up in Seminaries beyond Sea, and not as yet in Orders as aforeſaid, which do not within ſix moneths after Proclamation made in *London* (in that behalf) return into this Realm; and within two dayes after their Return, before the Biſhop of the Diocеſs, or Two Juſtices of the Peace of the County where they Arrive, ſubmit themſelves to the Queen, and her Laws, and Take the Oath of Supremacy, they ſhall be adjudged guilty of High Treaſon.

Sending relief to ſuch Seminaries.

3. They who give or ſend Relief to any ſuch Eccleſiaſtical Perſon or Seminary, or to any brought up there as aforeſaid, ſhall incur a *Præmunire*.

Where the Offences are puniſhable.

4. Theſe Offences are to be heard and determined in the Kings Bench, or in the County where they ſhall be committed, or the Offender Taken.

Submiſſion.

5. This Act not to Extend to any Jeſuite, *&c.* as aforeſaid, who within three days after his Arrival ſhall ſubmit himſelf to ſome Arch-Biſhop, or Juſtice of Peace of the County where he Lands, and there takes the Oath of Supremacy; and under his Hand acknowledges to continue in obedience to her Majeſties Laws.

The penalty of knowing a Jeſuite or Prieſt and concealing him.

6. He that knows a Jeſuit, or Prieſt, to remain within any the *Queens* Dominions, and doth not within Twelve days diſcover the ſame to ſome Juſtice of the Peace, ſhall be Fined, and ſuffer Imprisonment during pleaſure; and the Juſtice of Peace that doth not within Twenty eight dayes after, diſcloſe it to ſome of the Privy Council, *&c.* ſhall Forfeit two hundred Marks.

7. All

7. All Oaths and Submissions, &c. as aforesaid, shall be certified into *Chancery*, by the party before whom they are taken, within three moneths, on pain of an hundred pounds. *Oaths, Submissions, &c. to be certified.*

8. None submitting as aforesaid, shall within Ten years after come within Ten miles of the Court, on pain to loose the benefit of his Submission. *Those that submit not to come to Court within ten years, or within ten miles of it, by* 23 Eliz. cap. 6.

1. By this Statute the Grants and Incumbrances, or limitation to uses made by Papists not coming to Church according to the 23 *Eliz. cap.* 1. and which are revokable by the Offenders, intended for his maintenance, or in consideration whereof he and his Family are to be kept, shall be void against the Queen, *&c.* to hinder her for the Forfeiture of their not coming to Church, or saying, or hearing, or being at Mass, but this Act is not to Extend to Grants made *Bona Fide*, nor to continue the seizure after the death of the Offender, *&c.* *Grants of Papists.*

2. The Queen may seize two parts of the Goods, and two Third parts of the Lands of such *Popish* Offenders as shall not after their Conviction pay into the *Exchequer* Twenty pounds a moneth. *Two parts of the Goods, and Third part of the Lands of Papists to be seized.*

1. By this Act, all *Popish* Recusants above sixteen years old, shall within forty dayes after their Conviction repair to their usual Dwelling, and not remove above five miles from thence, on pain to Forfeit all their Goods and Lands, and Annuities during life; and if they have no certain Abode, they are to Repair where they were Born, or where their Fathers and Mothers dwell, and within Twenty dayes after their Arrival there, to give in their Names to the Constables, Head-Boroughs, and Minister; and the Minister is to keep a Book of their names, and he, and the said Constables, and Head-Boroughs to certifie the same to the quarter Sessions, *&c.* *Papists after Conviction to repair to their dwellings.* 35 Eliz. cap. 2.

Copy-holder apist.

2. A Copy-holder in this case shall Forfeit his Estate for life (if it continue so long) to the Lord of the Mannor, (if no Recusant, Convict, or seized, possessed to the use of a Recusant,) but if so, then the *Queen, &c.* shall have it.

Those that after Conviction will not repair to their dwellings &c. shall abjure the Realm.

3. A *Popish* Recusant (being no *feme Covert*, nor having Lands worth *Twenty Marks per annum*, or Goods worth *forty pounds*, which within the time above-limited, doth not repair to the place of his Aboad, or doth depart above five miles thence, or within three moneths after his Arrival, there doth not make the submission following hereafter (being required so to do by the Bishop, a Justice of Peace, or Minister there) shall before two Justices of the Peace, or the Coroner, abjure the Kingdom, which abjuration they are to certifie to the next Assizes, or Goal-delivery.

If he depart not, he shall be a Felon without Clergy.

4. If the Popish Recusant depart not the Realm within the time limited by the Justices, or Coroner, or return without the Queens Licence, he shall be adjudged a Felon, without benefit of Clergy.

Jesuite refusing to answer.

This Act not to extend to those that are urged by process of Law, &c.

5. A Jesuite or Priest refusing to answer, shall be committed to prison till he answer, *&c.* and this Act is not to restrain any Recusant (urged by process of Law without fraud) to Travel without the said limits of five miles, so that he return in convenient time, nor shall it restrain him that is compelled by Law, to render his body to the Sheriff.

The effect of the submission.

6. The Effect of the submission, whereby they may avoid these penalties, is, *That the Recusant submitting, do acknowledge and testifie in his Conscience, that the Bishop and See of* Rome *hath not, nor ought to have any power or Authority over her Majesty, within any of her Dominions*, &c. But the Reader is referred to the Statute to see the submission at large.

7. The

7. The Minister of the Parish where the submission is Taken, shall presently Enter it into a Book, and within Ten dayes certifie it to the Bishop of the Diocess; and if the Offenders after such submission shall fall to a Relapse, he shall have no benefit of his submission. *Minister of the parish is to enter submissions in a book.*

8. Every Married Woman shall be bound by this Act, save only in the case of Abjuration. *Married Women.*

1. By this Statute, all the former Statutes of Queen *Elizabeth* are confirmed, and appointed to be put in due Execution. *1 Jac. cap. 4.*

2. Where the Ancestor dies a Recusant, the Heir being none, or confirming himself, and Taking the Oath of Supremacy before the Arch-Bishop, &c. he shall be Freed from all the penalties in the aforesaid Statute; but if the Heir after the Age of sixteen years shall continue to be a Recusant, he shall not be freed till Conformity, and taking the said Oath: And the King shall have Two parts of his Lands to answer the Arrearages of *Twenty pound* a month, according to the Statute of 29 *Eliz. cap.* 3. *The Ancestor dying a papist, the Heir being none, &c.*

3. None shall send any Child, or other person under their Government, beyond Sea, to be instructed in the Popish Religion, upon pain of an *hundred pound*, and they which are so sent, shall be uncapable (as to themselves only) of any Grant or Inheritance due to them, or others to their use. *Children, or others sent beyond Sea to be trained in Popery.*

4. No Child, or Woman under 21 years of age (except Saylors, Ship-boys, Merchants-Factors, or Apprentices) shall be suffered, by officers of Ports to pass beyond Sea without the Kings Licence, or Warrant of six privy Counsellors under their Hands, upon pain of the said Officers Forfeiting their Offices, &c. and the Forfeitures by this Act are to be divided between the King and the Prosecutors. See the Statute of 3 *Jacobi*, cap. 5. Touching Soldiers and Marriners passing beyond Sea, *vide infra*. *Who may pass beyond Sea, &c.*

3 Jac. cap. 4. Sacrament,

1. By this Act the Recusant that Conforms, must within one year after his *Conformity*, and so once every year (at least) receive the *Sacrament*, on pain to Forfeit for the first offence *twenty pounds*, for the second *forty pounds*, &c.

Forfeitures.

2. These Forfeitures to be Recovered before Justices of Peace in their Sessions, or in any Court of Record; and to be divided between the King and the Prosecutors.

Presentments to be of the monthly absence of Papists from Church.

3. The Church-wardens and Constables of every Parish, or one of them, or (if there be none such) then the High Constable of the Hundred shall present once every year at the General Sessions of the Peace, the monthly absence from Church of every Popish Recusant, and their Children (being above the Age of nine years) and their Servants, together with the age of their Children, as well as they can be known, on pain Respectively to Forfeit 20 *s.* for every Default; and this presentment to be Entred by the Clerk of the Peace, or Town-Clerk, on Record, without Fee, on pain of 40 *s.* for every Default.

Officers Fees for presenting Recusants.

4. If the Recusant be convicted upon such Presentment, the Officer presenting him, shall have 40 *s.* out of the said Recusants Estate, by order of the Justices of Peace.

Who have power to punish Recusants.

5. Justices of Assize, Goal-Delivery, and of the Peace, have power of hearing and determining the Offences of such Popish Recusants, as well for their not Taking the Sacrament, as for not coming to the Church, according to this and former Laws and Statutes; and to make Proclamation that they shall Tender themselves to the Sheriff or Bayliff of the Liberty where they are, before the next Assize, Goal-Delivery, or Sessions respectively: Which if they shall not do, that Default is to be Recorded, and it shall be a sufficient Conviction of them, as well as a Trial by Verdict.

6. Every

6. Every ſuch Offender, after the firſt Conviction for not coming to Church, ſhall pay into the Exchequer in the Terms of *Eaſter* and *Michaelmas* next hapning after their Conviction, their Forfeitures then due at the Rate of 20 *l. per* month, and yearly after that in the ſaid Terms, at the Rate of 20 *l. per* month, unleſs the King ſhall pleaſe to take two Thirds of their Lands and Leaſes, or that they ſhall Conform.

Recuſants forfeitures after firſt conviction for not coming to Church.

7. Every Conviction is before the End of the Term next following, to be certified into the Exchequer, and the Court is to iſſue proceſs of Seizure thereupon, againſt the Offenders Goods, and Two parts of his Lands, Leaſes, *&c.*

Conviction to be certified into the Exchequer.

8. The King may Refuſe the *Twenty pounds* a month, and take the Two parts of the Lands, as aforeſaid (excepting the Recuſants Manſion-houſe) and the King may not Demiſe thoſe Two parts to a Recuſant, or to any other, for the Recuſants uſe; and the Kings Leſſee of the ſaid Two parts, is to give Security not to commit Waſt.

Twenty pounds a month, or two thirds of Recuſants lands, except the Manſion-houſe, &c.

9. The Biſhop of the Dioceſs, or Two Juſtices of the Peace, (one being of the *Quorum*) may out of *Seſſions* Tender the Oath of *Allegiance* mentioned in *hæc verba*, in this Act, to which the Reader is Referred, to any perſon, being Eighteen years of Age, [except Noble-men, and Noble-Women] which ſtand Convicted or Indicted of Recuſancy, *&c.* [*or paſſing through the Country*, and Examined on Oath, confeſſeth] or at leaſt denieth not, that he or ſhe is a Recuſant, and the Biſhop or Juſtices are to certifie the Premiſes, and the Name and aboad of the party to the next *Seſſions*, where the Clerk of the Peace, or Town-Clerk are to Record the ſame: and if they Refuſe to Take the Oath, or to anſwer upon Oath, they are to bind them to the next *Seſſions*; and if they refuſe here to take

Oath of Allegiance.

to

Præmunire, Women Covert.

it again, they incur a *Præmunire*, (except Women Covert) who in that case are to suffer Imprisonment till they take it.

Names to be subscribed. Indictment not to be reversed for want of form.

10. If they take the Oath, they are to subscribe their Names or Marks and no Indictment against such as are Recusants shall be reversed for lack of form, but only by direct Traverse: But if they conform, they may be admitted to traverse or discharge it.

Who shall go out of the Realm to serve a Forreign Prince. Bond.

11. None shall go out of the Realm to serve any Forreign Prince or State, without taking the said Oath (of Allegiance) and if he have born Office as a Soldier, he shall enter into Bond to the Kings use, with condition as in this Act is at large expressed *in hæc Verba*, (to which the Reader is referred) or else to be adjudged a Felon.

Customers and Comptrollers of Ports to take Bonds.

12. The Customers or Comptrollers of Ports only, and their Deputies, may take such Bonds, and minister the said Oath in this case, which they are every year to certifie into the Exchequer, the Bond, on pain of Five pounds, and the Oath, on pain of Twenty Shillings.

Withdrawing Kings Subjects from their obedience, High Treason.

13. To absolve or withdraw the Kings Subjects from their Natural Obedience, to reconcile them to the *See* of *Rome*, or to move them to promise it, *&c.* or to be absolved, withdrawn, reconciled, or make promise, as aforesaid, is *high Treason.*

Reconciliation.

14. This Clause of Reconcilement (as to the point of reconcilement only) shall not extend to any that shall return into the Realm, within six weeks after, shall before the Bishop, *&c.* submit himself to the King, and his Laws, and take the Oaths of Supremacy and Allegiance.

Excommunicate Recusants.

15. The Sheriff, upon a lawful Writ, may justifie to break a house for taking an Excommunicate Recusant.

16. If

16. If an Action be brought against an Officer for execution of this Act, he may plead the General Iſſue, and give the ſpecial matter in evidence. *Action against an Officer for doing his duty, &c.*

17. None ſhall be puniſhed for his Wives offence, nor ſhall a married Woman be chargeable with any penalty or forfeiture by force of this Act. *Wives Offence.*

18. Six of the Privy Counſel (whereof the Chancellor, Treaſurer, or Principal Secretary to be one) may miniſter the Oath of Allegiance to any Noble Man, or Noble Woman (unmarried) of, or above eighteen years of age, and if they refuſe it, they incur a *Præmunire*. *Oath of Allegiance. Noble Men, and Noble Women.*

19. The Warden of the Cinque-Ports, or ſome by his appointment, ſhall take the Bond, and miniſter the Oath, aforeſaid, to any perſon paſſing beyond Sea out of them, *i. e.* the Cinque-Ports, or any of their Members. *Warden of Cinque Ports.*

By this Statute, he that within three days notice, diſcovers to a Juſtice of Peace, any that entertains a Popiſh Prieſt, or any that have heard or ſaid Maſs, ſhall have a third part of the forfeiture due for the ſaid offences, if the whole exceed not an hundred and fifty, then onely Fifty Pounds thereof to be paid him by the Sheriff, who ſhall levy the ſame. *3 Jac. cap. 5. Entertaining a Popiſh Prieſt. Maſs.*

2. No Convicted Recuſant ſhall come into Court without command from the King, or Warrant from the Privy Counſel, under their hands, on pain of an Hundred Pounds, one moiety to the King, the other to the Diſcoverer. *Convicted Recuſants not to come to Court on pain of an 100l.*

3. A Popiſh Recuſant, Convict, or Indicted for not coming to Church for three months together, and remaining in *London*, or within ten miles diſtance, ſhall within ten days after ſuch Conviction or Indictment depart thence, and ſhall deliver their names (if in *London*) to the Lord Mayor there, and (if in the Countrey) to the next Juſtice of the Peace, *Convict Recuſants not to be in London, or ten miles of it, unleſs he be a Tradeſman, on pain of 100 l.*

on

on pain of an Hundred Pounds, to be divided between the King and the Proſecutor; but this is not to extend to Tradeſmen that have no other habitation in, or within ten miles of *London*.

Licence muſt be procured by a Recuſant, *to go about his occaſions*, &c.

4. A Recuſant may go about his own occaſions, by Licence from the King, or three Privy Counſellors under their hands, or four Juſtices of Peace under their Hands and Seals, with the aſſent in writing of the Biſhop, Lieutenant, or Deputy Lieutenant of the ſame County, notwithſtanding the Statute of 35 *Eliz. cap.* 2. which Licence is not to be granted by the ſaid Juſtices, till the party make Oath of the true reaſon of his Journey, and that he will make no needleſs ſtay.

No Convict Recuſant *may practice Law, Phyſick*, &c. *or bear Office in any* Caſtle, *&c.*

5. No Covicted Recuſant ſhall practice the Common Law, Civil Law, Phyſick, or the Art of the Apothecary; or be an Officer in any Court; or bear any Office among Soldiers, or in a Ship, Caſtle, or Fortreſs, on pain of an Hundred Pound, to be divided between the King and the Proſecutor.

Popiſh Recuſant *Convict. or whoſe Wife is ſuch, may not bear Office*, &c.

6. No Popiſh Recuſant Convict, or whoſe Wife is a Popiſh Recuſant Convict, ſhall exerciſe any publick Office in the Common-wealth by himſelf, or his Deputy, unleſs he bring up his Children in the true Religion; and together with his Children and Servants, repair to the Church, and receive the Sacraments, as the Law requires.

What a married Woman, being a Recuſant *Convict, ſhall forfeit.*

7. A married Woman, being a Popiſh Recuſant Convict, (her Husband being none) that doth not conform her ſelf, as aforeſaid, by the ſpace of one whole year before her Husbands death, ſhall forfeit two Thirds of her Dower or Joynter, and ſhall be uncapable of being Executrix or Adminiſtratrix to her Husband, or enjoying any part of his Goods.

A Popiſh Recuſant *Convict, ſhall be an Ex-*

8. A Popiſh Recuſant, after Conviction, ſhall be (to all intents) reputed as a perſon Excommunicate, untill

untill he conform and take the Oath of Obedience or Allegiance, ordained by 3 *Jac.* 4. Yet he may sue for his Interest, in Lands not seized into the Kings hands. *communicate to all intents, till he conform.*

9. A Popish Recusant Convict, married otherwise then in open Church, by a lawful Minister, according to the Church of *England*, shall not be Tenant by the Courtesie. A Woman also) in this case) shall lose her Dower, Joynture, Widdows Estate, and all her Husbands Goods, and where a Man cannot be Tenant by the Courtesie, he shall forfeit an Hundred Pounds, to be divided between the King and the Prosecutor. *Popish Recusant Convicts must be married by a lawful Minister, in open Church, on pain of 100 l.*

10. Every Popish Recusant, within a Month after the Birth of his Child, shall cause it to be Baptized by a lawful Minister, on pain of an Hundred Pounds, if he out-live the Month, if not, his Wife is to pay the forfeiture; the King to have one third part, the Prosecutor another, and the Poor of the Parish the third. *Their Children to be Baptized by a lawful Minister, on pain of an 100 l.*

11. Every Popish Recusant is to be Buried in the Church, or Church-Yard, according to the Church Laws of this Realm, on pain that his Executor, Administrator, or the party that causes him to be otherwise buried, pay Twenty Pounds to be divided as next aforesaid. *They must be Buried in the Church, or in the Church-yard on pain of 20 l.*

12. A Child (being no Soldier, Mariner, Merchant, or Apprentice, or Factor to a Merchant) shall not be sent, or go beyond Sea, without the Kings Licence, or Six of the Privy Council, (the Principal Secretary being one) on pain thereby to be incapable to enjoy any Lands or Goods, by Descent or Grant, until (being eighteen years of Age, or above) he take the Oath of Obedience before some Justice of Peace of the County, where his Parents do or did dwell. And in the mean time the next of Kin, being no Papist) shall injoy his Lands and Goods, but *who may go beyond Sea, and upon what Licence, &c.*

ſhall be accomptable to the other in caſe he afterwards conform as aforeſaid; and he that goes out of the Realm ſhall forfeit an Hundred pounds to be divided as aforeſaid

Chancellor, &c. of both Univerſities, ſhall preſent to the Benefice of a Recuſant Convict.

13. A *Popiſh Recuſant* Convict, ſhall be diſabled to preſent to a *Benefice*, but in his ſtead the Chancellor and Schollars of the Univerſities of *Cambridge* and *Oxford* ſhall preſent within ſeveral Counties reſpectively, *as by this Act is at large ſet forth.*

Papiſt may not be Executor, &c.

14. A *Popiſh Recuſant* Convict, ſhall not be an Executor, Adminiſtrator, or Guardian.

None may bring from beyond Sea, or print, or ſell Popiſh *Books, &c.*

15. None ſhall *bring from beyond Sea, Print, Sell,* or *Buy any* Popiſh *Primmers, Ladies Pſaltars, Manuals, Roſaries, Portals, Legends, or Lives of Saints in what Language ſoever they ſhall be Printed or Written*, nor any *Superſtitious Books* written in the *Engliſh Tongue*, on pain to Forfeit *forty ſhillings* for every ſuch Book, to be divided as aforeſaid.

Power to ſearch convict Papiſts Lodgings for Popiſh Books and Reliques.

16. Two Juſtices of Peace, and all Mayors, Bayliffs, and Head-Officers have power to *ſearch* the *Houſes and Lodgings of Popiſh Recuſants Convict*, and of every perſon *whoſe Wife is a Popiſh Recuſant Convict, for Popiſh Books and Reliques*, and to *burn* and *deface* ſuch as they ſhall find in their cuſtody; but ſuch as are of *value*, in open Seſſions, and afterwards reſtored to the Owner.

The Armour of Recuſants convict to be ſecured; and thoſe that refuſe to deliver them to be puniſhed, &c

17. All the *Armour, Gunpowder*, and *Ammunition* of a *Popiſh Recuſant* Convict, ſhall be taken from him, by Warrant from four Juſtices of the Peace at the General Seſſions, (other then ſuch Weapons as ſhall be allowed him by the ſaid Juſtices *for defence of his Houſe againſt Thieves, &c.*) which Armour, *&c.* ſhall be kept at the coſts of ſuch Recuſant, in ſuch places as the ſaid Juſtices ſhall appoint, and ſhewed at every Muſter, as his Arms, together with his Horſe, which he ſhall buy, provide, and maintain for that purpoſe, according

cording to his ability, as other Subjects do; and the Recusant that refuseth to declare what Armour and Ammunition he hath, and deliver it to such Persons as shall have power to seize it, he shall Forfeit the same to the King; and by Warrant from any Justice of the Peace of that County, be imprisoned for three months without Bayl.

7 Jac. cap. 6. *Oath of Allegiance.*

1. By this Statute is set forth, who shall give, and who shall take the *Oath of Allegiance*, and within what time, and before whom a Baron or Baroness, of, or about eighteen years old, shall take it. *See the Statute at large.*

Barons and Baronesses convicted of Recusancy, who may tender this Oath to them.

2. If a Baron or Baroness stand presented, indicted, or convicted of Recusancy, three of the Privy Council, (whereof the Lord Chancellor, Treasurer, Privy-Seal, or Principal Secretary to be one, shall Minister to them the said Oath, but if it be a Convicted Person under those degrees; or if the Minister, petty Constables, or Church-wardens of any Parish, or any two of them shall complain to any Justice of the Peace, or any person suspected of Recusancy, then the said Justice may in either of the said Cases minister the said Oath, and upon refusal, commit the party to *Prison*, there to remain until the next Assizes or Sessions, where if he or she again refuse to take it, they shall incur a *Præmunire*, (except Women Covert, who shall only be imprisoned in this Case) and there remain without Bayl, until they Take the said *Oath.*

Who to a common person.

Præmunire.

The penalty of refusing the Oath, Lawyers, &c. refusing it.

3. None refusing the said Oath, shall be capable of any *Office of Judicature*, or other *Office* (being no Office of Inheritance, or Ministerial Function) or to *practise the Common Law, Physick, Chyrurgery*, the *Art of Apothecary*, or any *Liberal Science for Gain.*

A Married Woman convicted of Recusancy, her penalty.

4. If a Married Woman be a convicted *Recusant*, and do not conform within Three Months after Convicti-

viction. ſhe ſhall be committed to priſon, by a Privy-Counſellor, or the Biſhop of the Dioceſs if ſhe be a Barroneſs, but if a lower Degree, then ſhe ſhall be committed by Two Juſtices of the Peace (whereof one of the *Quorum*) and there remain until ſhe Conform, *unleſs the Husband ſhall pay to the King for his Wives Offence Ten pounds for every month, or yeild a third part of all his Lands, at the choice of ſuch Huſbands.*

The penalty of going beyond Sea, or ſending any thither to be trained in Popery, or ſending relief to them.

5. None ſhall go himſelf, or ſend any other perſon whatſoever beyond Sea; to be Trained up in *Popery*, nor give any Maintenance or Relief to the Party ſo ſent, or to any School, or Religious Houſe there, (on pain after Conviction thereof) to be made unable to proſecute any Suit in any *Court of Equity*, to be *Committed* of any *Ward*, *Executor*, or *Adminiſtrator*, and to be *uncapable* of any *Legacy*, or *Deed of Gift*, or *bearing Office* within this Realm. And beſides, to *forfeit all his Goods and Chattels, and his Lands alſo, during life*; but if he or ſhe conform within ſix weeks after his or her Return, according to the Statutes of this Realm, they ſhall not incur the ſaid Penalties.

3 Car. 1. cap 2.

1. By this Statute, the Statute of 1 *Jac. cap.* 2. is to be put in due Execution.

The like penalty as in the next preceding Statute for ſending or going beyond Sea to be trained in Popery, &c.

2. None of the Kings Subjects ſhall *paſs*, or *go*, or ſhall *convey* or *ſend*, or *cauſe to be conveyed or ſent, any Children, or other perſon*, out of any of the *Kings Dominions*, into any parts beyond the Seas, out of the Kings Obedience, to the intent to be Reſident and Trained up in any *Popiſh Society, School*, or *Family*, or *inſtructed in the Popiſh Religion, in a ſort to profeſs the ſame*: Neither ſhall any convey, or cauſe to be conveyed *any money*, or other thing, towards the Maintenance of any ſuch Children, or Perſon already gone or ſent, or to go, or to be Sent and Trained, and Inſtructed as aforeſaid, or (under the name of *Charity* towards

towards the *relief* of any ſuch Society, or Religious Houſe, on pain, after Conviction, in the aforeſaid Caſes, to be diſabled to ſue, or uſe any Action, Bill, Plaint, or Information in Law, or Proſecute any Suit in Equity, *&c. As in the next Precedent Statute here abſtracted and abridged.*

All Perſons that ſhall bear any Office, Civil or Mi- 25 Carol. 2.
litary, or Receive any Pay, Sallary, Fee, or Wages, by reaſon of any Patent or Grant from his Majeſty, or ſhall have Command or Place of Truſt, from or under his Majeſty, or from any of his Predeceſſors, or by his or their Authority, or by Authority derived from him or them, or ſhall be of the Houſhold, or in the Service or Employment of his Majeſty, or the Duke of *York*, who ſhall Inhabit, Reſide, or be in, or within Thirty miles of *London*, or *Weſtminſter*, at any time during *Eaſter* Term, 1673. ſhall before the end of that Term, or *Trinity* Term following, appear in the Court of *Chancery*, or *Kings Bench*, and there in open Court, between Nine and Twelve in the Fore-noon, Take the Oaths of Supremacy and Allegiance; and all the ſaid Perſons not having Taken the ſaid Oaths in the ſaid Courts, ſhall on or before *Auguſt* 1. 1673. at the Quarter Seſſions for that County or Place where he or they ſhall Be, Inhabit, or Reſide, on *May* 20. Take the ſaid Oaths in like manner.

And the ſaid Officers ſhall Receive the Sacrament of the Lords Supper, according to the Uſage of the Church of *England*, at or before *Auguſt* 1. 1673. in ſome Pariſh Church upon ſome Lords Day immediatly after Divine Service and Sermon.

All Perſons that ſhall be admitted into any ſuch Office, *&c.* or ſhall Receive any Pay, *&c.* or have Command, or be admitted into Service or Employment in the Houſholds, *&c.* after the firſt day of *Eaſter* Term aforeſaid, and ſhall Inhabit, Be, or Reſide, when ſo admitted

mitted in or within Thirty miles of *London* or *Weſtminſter*, ſhall Take the ſaid Oaths in the ſaid Reſpective Courts, in the manner aforeſaid, the next Term after ſuch their Admittance. And all ſuch Perſons to be admitted after the ſaid firſt day of *Eaſter* Term, not having Taken the Oaths in the Courts aforeſaid, ſhall Take them at the Quarter Seſſions for the County or Place where thay ſhall Reſide next after ſuch admittance. And all Perſons ſo to be Admitted as aforeſaid, ſhall Receive the *Sacrament* of the *Lords Supper* in the manner aforeſaid, within three months after their Admittance.

And every of the Perſons in the Court where he takes the Oaths, ſhall firſt deliver a Certificate of ſuch his Receiving the ſaid *Sacrament*, as aforeſaid, under the Hands of the Miniſter and Church-wardens, and ſhall then make proof of the truth thereof by two credible Witneſſes at the leaſt upon Oath. All which ſhall be Enquired of, and put upon Record in the Reſpective Courts, to take the ſaid *Oaths*, and *Sacrament*, upon penalty that the Offices and Employments of all Perſons neglecting, or refuſing, be, and are Adjudged void, and the Perſons *ipſo facto* adjudged uncapable to have or enjoy the ſame, or any profit thereto appertaining. And further, if they ſhall Execute the Offices or Employments after the time wherein they ought to have taken them, and being thereupon lawfully convicted, ſhall be diſabled to ſue in Law or Equity, or to be a Guardian, Executor, or Adminiſtrator, or to be capable of any Legacy, or Deed of Gift, or to bear any Office; and ſhall Forfeit 500 *l.* to be Recovered by the Proſecutor.

Perſons not Bred up by their Parents in the Popiſh Religion, and profeſſing themſelves to be Popiſh Recuſants, that ſhall Breed up, or ſuffer their Children to be Educated in the Popiſh Religion, upon convicti-

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on ſhall be diſabled to bear any Office, or Place of Truſt or Profit, and the ſaid Children likewiſe diſabled, till they ſhall be Reconciled, and Converted to the Church of *England*, *&c.*

At the ſame time the Perſons concerned ſhall Take the ſaid Oaths, they ſhall make and ſubſcribe a Declaration (in the Act ſpecified againſt Tranſubſtantiation) under the ſame Penalties and Forfeitures.

Proviſoes for the *Peerage*, and other priviledges and profits of *Peers*; for Penſions granted upon valuable conſiderations; for Eſtates of Inheritance granted, for Penſions granted to perſons Inſtrumental in the Kings preſervation after the Battle at *Worceſter*; for Offices of Inheritance, for Infants, Feme-coverts; perſons beyond Sea, and *Non compus Mentis*, for Conſtables, and ſuch Inferior Officers.

This is the Sum and Subſtance of all the Statute-Laws againſt Jeſuits, Prieſts, *and* Popiſh Recuſants; *which for the benefit of my Country-men, I have abſtracted out of the large Volume of the Statute-Books, and here brought them to this narrow compaſs; but Read them at large for thy better ſatisfaction.* Farewell.

FINIS.